

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-14 are pending in this application. Claims 1-7 and 9-14 are amended by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.<sup>1</sup> No new matter is presented.

In the Office Action, the drawings and specification were objected to because of minor informalities; Claims 1-14 were rejected under 35 U.S.C. § 112, second paragraph; Claim 14 was rejected under 35 U.S.C. § 101; Claims 1-3 were rejected under 35 U.S.C. § 102(b) as anticipated by Applicant's Background Material (herein, Background); Claims 7-12 and 14 were rejected under 35 U.S.C. § 102(e) as anticipated by Dukach et al. (U.S. Pub. 2004/0036622; hereinafter Dukach); and Claims 4-6 and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Background in view of Dukach.

The Office Action objected to the drawings for failing to include reference characters 42 and 62. However, the specification, at p. 6, l. 23, for example, discloses that Fig. 1 shows "content presentation devices 41 to 43," and p. 6, ll. 26-27 discloses that Fig. 1 shows "wireless base stations 61 to 63." Therefore, reference numerals 42 and 62 are clearly mentioned in the specification as corresponding to a content presentation device, and a wireless base station, respectively.

Accordingly, Applicant respectfully requests that the objection to the drawings be withdrawn.

The Office Action also objected to the Abstract. In response, a replacement Abstract is provided, which conforms to the provisions of MPEP § 608.01(b). Accordingly, Applicant respectfully requests that the objection to the specification be withdrawn.

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<sup>1</sup> E.g., specification pp. 8-9 and Fig. 5.

The Office Action also objected to the specification, as containing “numerous grammatical and idiomatic problems.” However, a review of the specification did not reveal any clear grammatical or idiomatic problem. Therefore, should such a rejection be maintained in a subsequent Office Action, Applicant respectfully requests that said Office Action specifically cite any portion of the specification including the above noted deficiencies.

Accordingly, Applicant respectfully requests that the objection to the specification be withdrawn.

Claims 1-14 were rejected under 35 U.S.C. §112, second paragraph. More particularly, the Office Action asserts that various terms or phrases used in the claims are “ill-defined in the specification or were used inconsistently in the claims.” Applicant respectfully traverses this rejection.

Regarding the term “notification,” Claim 3 recites “a notification unit that notifies the content presentation devices identifier stored in said identifier storing unit.” As disclosed in an exemplary embodiment at p. 4, ll. 19-23 of the specification, “[i]n the... content presentation device, it is preferred to provide a capability of ... notifying the presentation device identifier of its own device to the another communication terminal apparatus.” Thus, the notification is of a “device identifier” as is clearly claimed and described in the specification. Regarding the term “switching,” Claim 1 defines that this term corresponds to “switch[ing] the content data output from said output unit.” Further, regarding the phrase “switching way information,” Claim 8 recites that “said management information contains switching way information as to whether content data to be replaced is replaced by content data delivered anew or by content already stored in the content presentation device.” Thus, the “switching way information” defines from where the content data to be replaced is retrieved. Finally, the “management server” corresponds to “management server 1” disclosed

in the originally filed specification. Therefore, Applicant respectfully submits that each of the terms cited in the Office Action are each used consistently in the specification and claims, and correspond to features disclosed in the originally filed specification.

The Office Action also cited various limitations in the claims as lacking antecedent basis. In response, the claims are amended to correct the antecedent basis issues noted in the Office Action.

Accordingly, Applicant respectfully requests that the rejection of Claims 1-14 under 35 U.S.C. §112, second paragraph, be withdrawn.

Claim 14 was rejected under 35 U.S.C. § 101, as directed to non-statutory subject matter because there is “not a physical transformation or a useful, tangible and concrete result.” Claim 14, however, is amended to recite the additional features of “transmitting a switching control signal indicating content, which is to be output, to the presentation device specified by said content presentation device identifier from said management server based on a railroad time table contained in said management information and the elapsed time as measured; and switching the content data that is presented on a corresponding content presentation device based on said switching control signal at a time point calculated by subtracting a predetermined time from an arrival time of a train in the railroad time table.” Thus, amended Claim 14 recites features including transmitting a switching control signal to the presentation device, and switching presented content in response to the switching signal.

Therefore, amended Claim 14 recites features that constitute a transformation of data, and results in a useful, concrete and tangible result. Accordingly, Applicant respectfully requests that the rejection of Claim 14 under 35 U.S.C. §101 be withdrawn.

Claims 1-3 were rejected under 35 U.S.C. § 102(b) as anticipated by Background, Claims 7-12 and 14 were rejected under 35 U.S.C. §102(e) as anticipated by Dukach, and Claims 4-6 and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Background

in view of Dukach Applicant respectfully traverses these rejections, as amended independent Claims 1, 7 and 13 recite novel features clearly not taught or rendered obvious by the applied references.

Amended Claim 1, for example, is directed to a plurality of content presentation devices that present content data containing image, sound, text or other information. The content presentation devices include a content accumulating unit that accumulates the content data, and an identifier storing unit that stores a content presentation device identifier uniquely given to each of the content presentation devices. The content presentation devices also include an output unit that outputs said content data, and a communication unit that receives a switching control signal which instructs to switch the content data output from said output unit. Further, Claim 1 recites, in part, that the content presentation devices also include:

an output switching unit that switches the content data output from said output unit based on said switching control signal ***at a time point calculated by subtracting a predetermined time from an arrival time of a train in a railroad time table.***

Independent Claims 7 and 13, while directed to alternative embodiments, are amended to recite similar features. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1, 7 and 13.

As described in an exemplary embodiment at pp. 8-9 and Fig. 5 of the specification, the content output from the content presentation devices can be switched so as to time the arrival of a train. Table 1, for example, shows a “switching condition” that specifies that the content data output should switch starting at a time 3 minutes before the scheduled arrival of a train.

Turning to the applied references, Background describes an information providing system for a display-type notification device. More particularly, p. 2, ll. 2-3 of Background describes that information for the display device can be updated on a real time basis by delivering information through communication lines.

Background, however, fails to disclose changing the information for the display device based on a “switching control signal *at a time point calculated by subtracting a predetermined time from an arrival time of a train in a railroad time table*,” as recited in amended independent Claim 1.

Further, Dukach describes a system for displaying messages on electronic displays, including networks of outdoor displays, such as displays mounted on vehicles. Dukach describes that with such vehicle displays, a display’s current geographical location can be sensed, and the sensed location is used to select which messages are shown on the display.

Dukach, however, fails to disclose that the messages shown on a display are switched based on “switching control signal *at a time point calculated by subtracting a predetermined time from an arrival time of a train in a railroad time table*,” as recited in amended independent Claim 1.

As noted above, Dukach describes a system in which displays are mounted on vehicles and that the messages are changed based on a geographical location of a vehicle. Thus, since the display is mounted on a vehicle, it would not be reasonable to change the messages in response to a *train railroad timetable*, since the location of the display is constantly changing.

Therefore, Background and Dukach, neither alone, nor in combination, teach or suggest a content presentation device that includes “an output switching unit that switches the content data output from said output unit based on said switching control signal *at a time point calculated by subtracting a predetermined time from an arrival time of a train in a railroad time table*,” as recited in amended independent Claim 1.

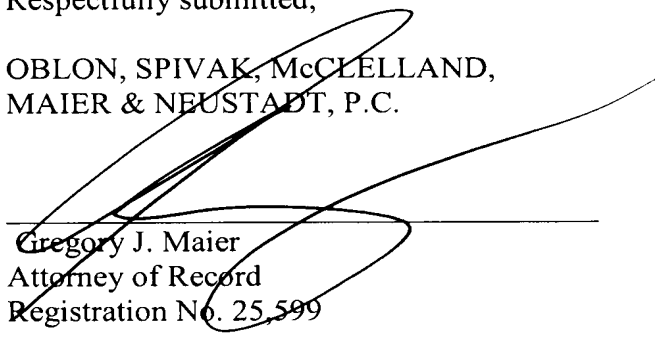
Accordingly, Applicants respectfully request that the rejection of Claim 1 (and Claims 2-3, which depend therefrom) under 35 U.S.C. § 102(b) be withdrawn. For substantially

similar reasons, it is also submitted that amended independent Claims 7 and 13 also patentably define over Background and Dukach.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-14 patentably define over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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